

Message Text

LIMITED OFFICIAL USE

PAGE 01 BERN 00925 111040Z

20

ACTION EUR-25

INFO OCT-01 ISO-00 JUSE-00 L-03 SCS-03 SCA-01 /033 W

----- 056341

P 110815Z MAR 74

FM AMEMBASSY BERN

TO SECSTATE WASHDC PRIORITY 8786

LIMITED OFFICIAL USE BERN 0925

E.O. 11652: N/A

TAGS: CFED, SZ

SUBJECT: JOHN ROBERT HAY CASE

REF: STATE 040520

1. RE PARA TWO REFTTEL: NEITHER SWISS FEDERAL NOR GENEVA CANTONAL CODES CONTAIN PROVISIONS DEALING WITH ADMISSIBILITY OF DOCUMENTARY EVIDENCE ANALOGOUS TO U.S. CODE PROVISIONS. ADMISSIBILITY IN SWISS PROCEEDINGS IS NOT SUBJECT TO FORMAL RESTRICTIONS.

2. WE ARE POUCHING TODAY COPIES OF SWISS FEDERAL CODE OF PROCEDURE AND CANTON OF GENEVA CODE OF CRIMINAL PROCEDURE. LATTER CONTAINS PROVISIONS OF SEVEN ARTICLES CITED IN CANTONAL ORDER OF INQUIRY DATED MARCH 8, 1972 WHEREBY COURT OBTAINED DOCUMENTS FROM USBS GENEVA. COPY OF ORDER ALSO BEING POUCHED BUT ORIGINAL SHOULD HAVE BEEN RECEIVED BY DEPT OF JUSTICE WHEN COMPLETED LETTERS ROGATORY WERE RETURNED BY EMBASSY ON MARCH 22, 1972. ALTHOUGH NOT PRECISELY ON POINT CITED ARTICLES MAY BE USEFUL FOR JUSTICE'S PURPOSES.

3. SWISS FEDERAL DEPT OF JUSTICE AND POLICE (SCHMID) HAS INFORMED US THAT AFTER MUCH DELAY AND FRUSTRATING DISCUSSIONS, UBS HAS DECLINED TO PERMIT WITNESS EGGER TO SIGN OR INITIAL COMPLETED TRANSCRIPT OF TESTIMONY. WE HOPE TO HAVE TRANSCRIPT RETURNED TO US TODAY AND WILL TRANSMIT IT UNSIGNED IN ACCORDANCE WITH ALTERNATIVE PROCEDURE OUTLINED IN 7 FAM 842.7-1.

LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 02 BERN 00925 111040Z

DAVIS

LIMITED OFFICIAL USE

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: n/a
Control Number: n/a
Copy: SINGLE
Draft Date: 11 MAR 1974
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: morefirh
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1974BERN00925
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: n/a
From: BERN
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1974/newtext/t19740354/aaaabylw.tel
Line Count: 61
Locator: TEXT ON-LINE
Office: ACTION EUR
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators:
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: STATE 040520
Review Action: RELEASED, APPROVED
Review Authority: morefirh
Review Comment: n/a
Review Content Flags:
Review Date: 13 JUN 2002
Review Event:
Review Exemptions: n/a
Review History: RELEASED <13 JUN 2002 by boyleja>; APPROVED <27 JUN 2002 by morefirh>
Review Markings:

Declassified/Released
US Department of State
EO Systematic Review
30 JUN 2005

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: JOHN ROBERT HAY CASE
TAGS: CFED, SZ
To: STATE
Type: TE
Markings: Declassified/Released US Department of State EO Systematic Review 30 JUN 2005